



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil

General Permit

FILE NO.: General Permit - 25
DATE: September 30, 2009
EXPIRES: September 30, 2014

FOR: CONSTRUCTION OF RECREATIONAL BOATING ACCESS FACILITIES
IN WATERS OF THE UNITED STATES AND THE ASSOCIATED
DISCHARGE OF DREDGED AND FILL MATERIAL

WHERE: REGULATORY JURISDICTION OF THE VICKSBURG DISTRICT IN
ARKANSAS, LOUISIANA AND MISSISSIPPI

BY WHOM: DISTRICT ENGINEER, VICKSBURG DISTRICT, ON BEHALF OF THE
GENERAL PUBLIC

The Vicksburg District is hereby issuing a Department of the Army General Permit for the construction of boat ramps, parking areas, access roads, fishing piers and associated structures and fill activities. This General Permit is effective in the Vicksburg District's regulatory jurisdiction in waters of the United States in Arkansas, Louisiana and Mississippi. A map of the Vicksburg District (enclosure 1) and drawings of typical structures (enclosure 2) are enclosed.

This General Permit contains certain limitations intended to protect the environment and natural and cultural resources. Conformance with conditions contained in the General Permit does not necessarily guarantee authorization under this General Permit. In cases where the District Engineer considers it necessary, application will be required for individual permits. Construction, dredging, or fill operations not specifically covered by this General Permit are prohibited unless authorized by a separate permit.

This action is being taken pursuant to Federal regulations printed in the Federal Register on November 13, 1986, concerning permits for activities in waters of the United States. These regulations state the U.S. Army Corps of Engineers' responsibility for regulating structures or work in, or affecting, waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 (30 Stat. 1151; 33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

General Permits may be issued for a category or categories of activities when: (1) those activities are substantially similar in nature and cause only minimal individual and cumulative environmental impacts; or (2) the General Permit would result in avoiding unnecessary duplication of the regulatory control exercised by another Federal, state, or local agency, provided it has been determined that the environmental consequences of the actions are individually and cumulatively minimal. The determination that the proposed activities comply with the requirements for issuance of General Permits was made using information that is available for inspection at the offices of the Vicksburg District's Regulatory Branch at 4155 Clay Street, Vicksburg, Mississippi.

In compliance with requirements of Section 401 of the Clean Water Act, the Vicksburg District has obtained water quality certifications from the Arkansas Department of Environmental Quality, the Louisiana Department of Environmental Quality and the Mississippi Department of Environmental Quality, stating that the work authorized by the proposed General Permit will not violate applicable provisions of Sections 301, 302, 306, and 307 of the Act. Copies of the certifications, with required conditions, are enclosed (enclosure 3).

Authorization to conduct work under this General Permit will not negate the responsibility of the applicant to obtain other State or local authorizations or permits required by law for the proposed activity.

REQUEST FOR AUTHORIZATION UNDER THE GENERAL PERMIT: IN ORDER TO BE AUTHORIZED BY THIS GENERAL PERMIT, PERSONS PROPOSING THE WORK ARE REQUIRED TO SUBMIT TO THE DISTRICT ENGINEER, IN WRITING, THE FOLLOWING INFORMATION, AT LEAST 45 DAYS PRIOR TO CONDUCTING THE WORK:

- a. State the number of the General Permit under which the work is to be conducted. (General Permit 25)
- b. Statement that the work will be conducted in compliance with the terms and conditions of the General Permit and will not adversely impact adjoining properties.
- c. Location map showing the proposed worksite (including section, Township, Range, County or Parish, and State).
- d. Drawing of any proposed structures including dimensions and amounts of excavated and fill material in cubic yards.
- e. A brief description of the present condition of the project site.
- f. A brief description of the proposed activity, its purpose, and intended use.

- g. Estimated starting and completion dates of construction.
- h. Name, mailing address, and telephone number of (person/agency) applying for authorization.
- i. A delineation of any special aquatic sites (e.g. wetlands, mudflats, vegetated shallows, riffle and pool complexes, sanctuaries, and refuges as defined at 40 CFR 230.40 thru 230.45) and other waters of the United States (e.g. streams, open water areas, etc.) within the proposed project area.
- j. An estimate of the type (permanent fill, temporary clearing, etc.) and amount of impacts to special aquatic sites and/or streams that would result from the proposed activity.
- k. A statement explaining how impacts to special aquatic sites and streams would be avoided and/or minimized. For unavoidable wetland impacts in excess of 0.10 acre, the submitted information shall include a proposal to provide compensation for loss of wetland functions.
- l. If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat: (i) for non-Federal applicants, the submitted information must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that might be affected by the proposed work; (ii) for Federal applicants, the submitted information must provide documentation demonstrating compliance with the Endangered Species Act.
- m. For an activity that may affect an historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register for Historic Places: (i) for non-Federal applicants, the submitted information must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property; (ii) for Federal applicants, the information furnished must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.
- n. If the proposed activity is located in a Coastal Zone Management area in Louisiana or Mississippi, a copy of the authorization or waiver from the state coastal zone management agency: Louisiana Department of Natural Resources, Coastal Management Division; or Mississippi Department of Marine Resources, Coastal Program.

Upon receipt of this information, the District Engineer will advise the inquiring party, in writing, either that the work is authorized under the General Permit; will request additional information, if needed; or will advise that the proposed activity will require an individual permit.

Special Conditions:

a. Neither the boat ramp nor fishing pier shall extend into the affected river or stream so as to interfere with navigation (including recreational boating) or adversely impact the flow-carrying capacity of the affected stream. The average parking area shall be the minimum size necessary to accommodate users of the facility and shall be surfaced with porous material such as gravel, crushed stone, shell, etc. The access road shall be the minimum distance necessary to provide access to the boating ramp and parking area.

b. The slope of the ramp shall be designed to provide safe launching conditions.

c. Construction and/or maintenance activities shall be conducted during drawdown periods of lakes/reservoirs or during low flow periods of free flowing streams.

d. Non-tidal wetland impacts from the proposed construction and fill activities shall not exceed two acres. This permit shall not be used to authorize work in tidal waters or in tidally-influenced wetlands or vegetated shallows (Note: In general, this restriction is limited to certain jurisdictional waters located south of Interstate 10).

e. Material used for fill shall be obtained from an upland source and must be nonpolluting in conformance with i., below.

f. No activity which may adversely impact a site listed or eligible for listing in the National Register of Historic Places shall be allowed by this General Permit. Additional material shall not be taken from a known historical or archaeological site such as an Indian Mound. If the permittee, during prosecution of work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the area subject to Department of Army jurisdiction, he shall immediately notify the District Engineer. The District Engineer, in consultation with the appropriate State Historic Preservation Officer and the Tribal Archaeologists, will comply with 33 CFR 325, Appendix C, paragraph 11 (Historic Properties Discovered During Construction).

g. The discharge shall not occur in a component of the National Wild and Scenic River System or in a component of a State Natural and Scenic River System without the appropriate Federal or State authorization.

h. The discharge shall not occur in a Coastal Zone Management area without the appropriate State authorization. The coastal zone approval shall be submitted with the request for authorization under this General Permit. In order to be authorized by this General Permit for work in Hancock County, Mississippi, or St. Tammany Parish, Louisiana, persons proposing work are required to send complete plans to the following addresses:

Mississippi Department of Marine Resources
1141 Bayview Avenue
Suite 101
Biloxi, Mississippi 39530

Louisiana Department of Natural Resources
Coastal Management Division
Post Office Box 44487
Baton Rouge, Louisiana 70804-4487

i. Dredged, excavated, or fill material used for construction shall be nonpolluting material in accordance with the Environmental Protection Agency Guidelines for the Discharge of Dredged or Fill Material found in 40 CFR 230.

j. All construction activity shall be performed in a manner that will minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life especially during fish spawning seasons.

k. All material not used as backfill shall be placed upland and no runoff water from these disposal sites shall be allowed to enter the waterway or adjacent wetlands.

l. The discharge shall not be located so as to adversely affect a public water supply intake or a national fish hatchery intake.

m. The discharge shall not contain unacceptable levels of pathogenic organisms in areas used for sports involving physical contact with the water.

n. The discharge shall not occur in areas of concentrated shellfish production.

o. No activity that is likely to adversely affect Federally-listed threatened or endangered species, or that is likely to destroy or adversely modify the critical habitat of such species, is authorized under this General Permit.

p. No sewage, oil, refuse or other pollutants shall be discharged into the watercourse.

q. No work shall be performed within the boundaries of a national or State wildlife refuge, game management area, or similar area without specific authorization by the manager of the facility or an appropriate managing agency official.

r. No work shall be performed within 1,500 feet of any known wading bird rookery.

General Conditions:

a. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition b., below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this authorization from this office, which may require restoration of the area.

b. If you sell the property associated with the authorization under this General Permit, you must contact this office so that the authorization can be transferred to the new owner.

c. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

d. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

e. This permit does not grant any property rights or exclusive privileges.

f. This permit does not authorize any injury to the property or rights of others.

g. This permit does not authorize interference with any existing or proposed Federal project.

h. In issuing this permit, the Federal Government does not assume any liability for the following:

(1) Damages to the permitted project, or uses thereof, as a result of other permitted or unpermitted activities or from natural causes.

(2) Damages to the permitted project, or uses thereof, as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

(3) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

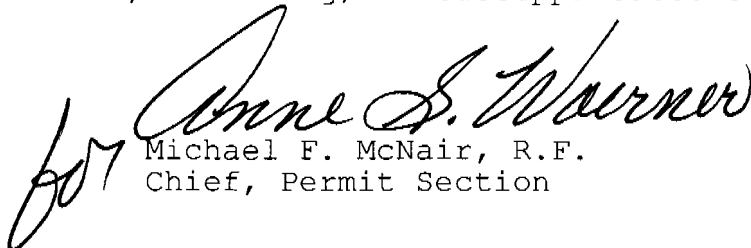
(4) Design or construction deficiencies associated with the permitted work.

(5) Damage claims associated with any future modification, suspension, or revocation of this permit.

i. In issuing individual authorizations under this General Permit, the Government will rely on the information and data that the permittee provides in connection with his permit application. If, subsequent to the authorization, such information and data prove to be false, incomplete, or inaccurate, this authorization may be modified, suspended, or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

j. This General Permit is valid for 5 years. At the end of that time, the cumulative environmental effects of completed work will be reviewed and reissuance of the permit may be considered. However, if unforeseen adverse environmental effects result from the issuance of this General Permit, it may be modified or terminated at any time.

Additional copies of this notice are available upon request from this office. Requests may be addressed to the USAED, ATTN: CEMVK-OD-FP, 4155 Clay Street, Vicksburg, Mississippi 39180-3435.

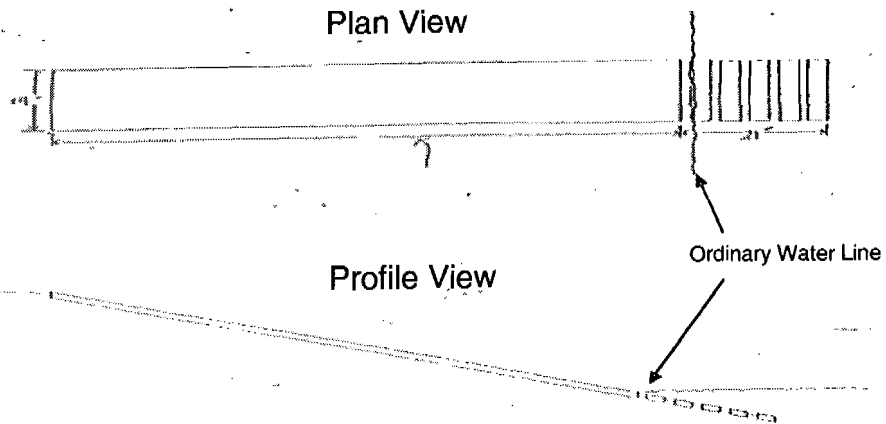

Michael F. McNair, R.F.
Chief, Permit Section

Enclosures

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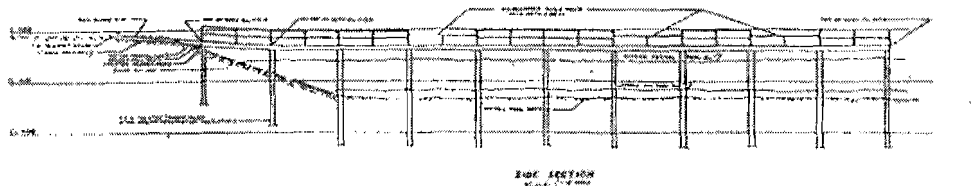
Enclosure 1

Typical Boat Ramp Drawings



Typical Fishing/Boating Pier

Profile View

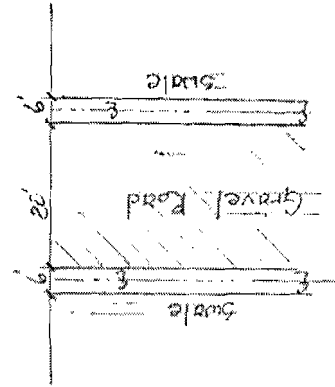
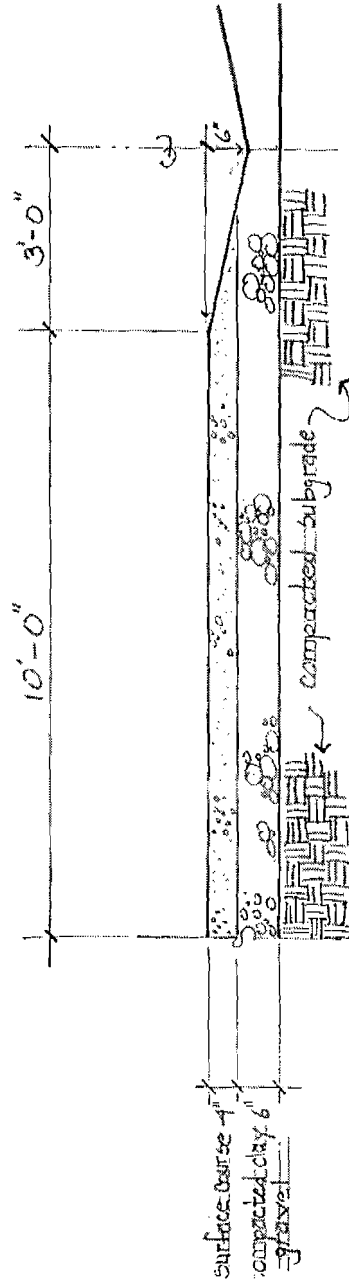


Hand-drawn site plan of a residential property. The plan shows a street frontage of 50 feet, with 22 feet of sidewalk on each side. The driveway is 12 feet wide. The property is divided into several areas, including a front yard, a central yard, and a rear yard. The rear yard contains a large tree and a 25-foot wide area. The property is surrounded by trees and shrubs. A north arrow is located in the bottom right corner.

CORPS OF ENGINEERS

Enclosure 2-2

Typical Profile View of Boat Ramp Subgrade Materials



GENERAL PERMIT - 25
CORPS OF ENGINEERS

ADEQ

ARKANSAS
Department of Environmental Quality

00-F

August 24, 2009

Colonel Michael C. Wehr, District Engineer
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39183-3435

RE: Public Notice: Re-issuance of General Permit 25: MVK-2009-849

Dear Colonel Wehr:

The Arkansas Department of Environmental Quality ("ADEQ") has completed its review of the above referenced public notice for re-issuance of the U.S. Army Corps of Engineers General Permit 25 for the State of Arkansas.

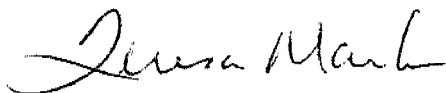
ADEQ has determined that there is a reasonable assurance that this activity will be conducted in a manner which, according to the Arkansas Pollution Control and Ecology Commission's Regulation No. 2, will not physically alter a significant segment of a waterbody and will not violate the water quality criteria.

Pursuant to §401(a)(1) of the Clean Water Act, the ADEQ hereby issues water quality certification for this project contingent upon the following conditions:

- 1) Individual Water Quality Certification requests must be submitted to ADEQ for any activity impacting Extraordinary Resource Waters, Ecologically Sensitive Waters, and Natural and Scenic Waters as identified in Regulation # 2.
- 2) The applicant shall contact ADEQ for a Short Term Activity Authorization needs determination for activities that have the potential to violate water quality criteria.
- 3) The applicant shall comply with NPDES Storm Water Program requirements.

Please contact Bob Singleton of the Water Division at (501) 682-0645 if you have any questions regarding this certification.

Sincerely,



Teresa Marks
Director

cc: Mr. David Lofton, Chief, Permits Section, Regulatory Branch, Vicksburg COE
Mr. Mike Stewart, Evaluator, Permits Section, Vicksburg COE
Wanda Boyd, Region VI, Environmental Protection Agency

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

5301 NORTHSHORE DRIVE / NORTH LITTLE ROCK / ARKANSAS 72118-5317 / TELEPHONE 501-682-0744 / FAX 501-682-0880

www.adeq.state.ar.us

03-23-10010107 ADEQ

Enclosure 3

BOBBY JINDAL
GOVERNOR



HAROLD LEGGETT, Ph.D.
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY ENVIRONMENTAL SERVICES

AUG 21 2009

U.S. Army Corps of Engineers- Vicksburg District
Regulatory Branch (CEMVK-OD-FP)
4155 Clay Street
Vicksburg, MS 39183-3435

Attention: Mike Stewart


RE: Water Quality Certification (WQC 030728-05/AI 116704/CER 20090002)
Corps of Engineers Permit (MVK-2009-849)
Renewal of Vicksburg District General Permit #25

Dear Mr. Stewart:

The Department has reviewed your application to extend the time limit of activities covered under Vicksburg District General Permit #25 for an additional five years.

The requirements for Water Quality Certification have been met in accordance with LAC 33:IX.1507.A-E. Based on the information provided in your application, we have determined that the placement of the fill material will not violate the water quality standards of Louisiana provided for under LAC 33:IX.Chapter 11. Therefore, the Department has issued a Water Quality Certification.

Sincerely,


Melvin C. Mitchell, Sr.
Administrator
Water Permits Division
MCM/jjp



STATE OF MISSISSIPPI

HALEY BARBOUR

GOVERNOR

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

TRUDY D. FISHER, EXECUTIVE DIRECTOR

September 15, 2009

Certified Mail No. 7004 1350 1490 9156

Mr. Mike Stewart
U.S. Army Corps of engineers, Vicksburg District
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Dear Mr. Stewart:

Re: US Army COE, Vicksburg
District, General Permit 25
Formerly General Permit 52
Warren County
COE No. MVK2009849
WQC No. WQC2009052

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, to Vicksburg District Corps of Engineers, an applicant for a Federal License or permit to conduct the following activity:

US Army COE, Vicksburg District, General Permit 25: issue a General Permit for construction of recreational boating access facilities in waters of the United States and the discharge of dredged and fill material for parking areas, access roads, fishing piers and associated structures. This General Permit was formerly General Permit 52. This General Permit is only for the regulated area of the Vicksburg District Corps of Engineers [MVK2009849, WQC2009052].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

1. Pre-construction notification shall be provided to the Department for any projects applying for coverage under this General Permit. This pre-

49772 WQC20090001

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.deq.state.ms.us

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construction notification shall be submitted, at minimum, sixty days prior to the start of any construction activities. This notification should include all the supporting material and engineered drawings submitted to the Corps of Engineers, Vicksburg District.

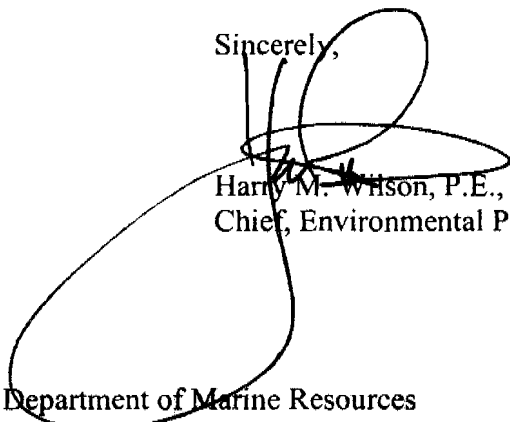
2. The parking area shall be the minimum size necessary to accommodate users of the facility and shall be surfaced with porous material such as gravel, crushed stone, shell, ect. The access road shall be the minimum distance necessary to provide access to the boating ramp and parking area.
3. Any facility used for congregational activities shall be required to connect to an Office of Pollution Control approved wastewater Collection and Treatment system.
4. All fill material and excavation areas shall have side slopes of at least 3:1 (horizontal:vertical) and shall be immediately seeded, stabilized and maintained.
5. Appropriate best management practices (BMPs) shall be properly installed and maintained to prevent the movement of sediment off-site and into adjacent drainage areas. Special care shall be taken prior to and during construction to prevent the movement of sediment into adjacent avoided wetland areas. In the event of any BMP failure, corrective actions shall be taken immediately.
6. Coverage under a Stormwater Construction General NPDES Permit shall be obtained prior to the start of construction activities. For construction activities including clearing, grading, excavation or other land disturbance of five or more acres, the applicant shall obtain a Large Construction General NPDES permit (MSR10). For construction activities including clearing, grading, excavation or other land disturbance of one to less than five acres the applicant shall obtain a Small Construction General NPDES permit (MSR15). A copy of the General Permit and Guidance Manual can be found on our website at <http://www.deq.state.ms.us> or can be obtained by writing MDEQ or calling 601-961-5171. No construction activities shall begin until such approvals are obtained
7. Mitigation for any unavoidable impacts to jurisdictional wetlands shall be implemented as deemed appropriate by the U.S. Army Corps of Engineers, Vicksburg District.
8. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

9. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If we can be of further assistance, please contact us.

Sincerely,



Harry M. Wilson, P.E., DEE
Chief, Environmental Permits Division

HMW: tgt

cc:

Ms. Willa Brantley, Department of Marine Resources
Ms. Kathy Lunceford, U.S. Fish and Wildlife Service
Mr. Duncan Powell, Environmental Protection Agency
Ms. Janet Riddell, Office of Budget & Fund Management